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*Observations on a Deed in Latin and Saxon, of
Odo, Bishop of Baieux, half Brother of William the
Conqueror: by the Rev. Samuel Pegge.*

Read at the Society of ANTIQUARIES, NOV. 21, 1765.

THIS deed, which is copied from a fine Chartulary in Sir Edward Dering's library, is curious both for the instrument itself, and the seal. It was perused by our famous Kentish antiquary Mr. John Philipot, who tells us, in his account of Wickam-Brews [a], that, "in the twentieth year of "William the Conqueror, Odo, bishop of Baion, and earl of Kent, "held this place of the gift of his half brother, which was "that prince; and Trendley Park, adjoining there, was a com-



[a] Philipot, Villare Cantianum, pag. 361.

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" position

"position between the archbishop and this man, for certain land
 "of the said archbishop, to be inclosed, and included within the
 "said park at Trendley: which signifies thus much unto us,
 "that Woodstock, which boasts itself to be the first inclosed
 "park of England[*b*], was not so ancient as this at Trendley."

THIS paragraph, however, is pregnant with mistakes; for first, if I understand the author's meaning, (for he has by no means expressed himself clearly) it is here asserted, that the *whole and entire Park* at this place was the subject of the composition, as he calls it, or exchange, between Odo and archbishop Lanfranc; but upon the slightest inspection of the instrument it appears quite otherwise, *viz.* that Odo had already a park here, but that the archbishop having 25 acres of land lying within it, he procured them of him, by giving him other lands in exchange. 2dly, He calls Odo bishop of Baion, instead of Baieux, a city of Normandy. 3dly, He represents this park at Trendley as an inclosed one; and 4thly, He refers the deed to the 20th of the Conqueror's reign, both which will be found in the sequel to be mistakes.

THE deed is both in Latin and Saxon: the Latin part, which in the before-mentioned Chartulary is written in a common modern round hand, runs thus: "Odo Baiocensis ep's Lanfranco archiep'o, et Hammoni vicecomiti, et omnibus Canturiensib. regis fidelib. salute'. Notum sit vobis, q'd ego O. Baiocensis ep's, et comes Cantie, nostre matri que in honore Sc'e Trinitatis exstructa est Canturiensi ecc'le trado has quatuor dennas terre, videlicet Loffenhamu' et Adelardendena' et Blacecota' et Acedena', a do'no Lanfranco archie'po, et om'ib. successorib. ej. perpetuo usu possidendas, pro redemptione domini mei Guil-elmi regis Anglorum, et mee et eorum de quorum salute specia'lit. injunctu' est michi p'curare, et p'exca'bio XX. et V. acrar. terre que infra parcum meum de Wikeham continentur."

[*s*] Dugd. Bar. I. 69.

The Saxon part being an offtrait, the original instrument is engraved on the opposite page.

THE first thing remarkable in the instrument is, that it is given in two languages; the Saxon is not the translation of the Latin made after the execution of the deed, nor the Latin of the Saxon; but both are originals. And this, it seems, was the custom at this time, and during the reigns of the first Norman kings, as appears from several originals in the possession of Mr. Astle[c], and others. In the *Textus Roffensis*, pag. 141. you have an instrument of the Conqueror's in Latin, with the Saxon following. Indeed, in the copy Mr. Hearne printed from, the Saxon part is omitted; but in my MS. transcript of that book, made under the inspection of Mr. William and Mrs. Elizabeth Elstob, the Saxon is inserted, pag. 105. and it is also printed in Mr. Wharton's *Anglia Sacra*, vol. I. pag. 336. And in the old Register or Chartulary of the church of Lincoln, lately recovered to that see by my most valuable friend the present bishop, an instrument of William the Conqueror is entered in Latin, but in the margin is written, "*Item alia charta Anglice scripta continetur in eadem.*" The Latin here was necessary, because the principal parties, Odo and the Archbishop, were both Normans, (as likewise was Hamo the sheriff), and probably understood not the Saxon tongue: but the king's subjects being in general at that time Saxons, for that reason it was drawn up likewise in that language. And hence, in after-times, charters were directed "*et Francigenis et Anglis.*" But for the further illustration and confirmation of this, it is very necessary here to remark, that, from the time of king Aelfred, it was customary amongst the Saxons to issue their charters in both the French and the Saxon character, from whence it was a very easy transition to apply more tongues than one. Observe the words of Ingulphus: "*De tuleram chartas etiam Edredi quondam regis, et ref-*

[c] The seal in those charters are not pendent at the bottom, but affixed to the left side of the charter.

“tauroris nostri, ac Edgari regis nostri confirmatoris, et aliorum regum Anglorum post eos succedentium usque ad hæc tempora nostra, que partim *duplicate* tam Gallica manu, quam Saxonica scribebantur [d].” And in Henry III’s time, the sentence of excommunication against the infringers of Magna Charta is directed to be published both in English and French [e]. Thus, therefore, the deeds being twins, but in effect one, a comment upon one will serve for an illustration of the other.

CANTURIENSIBUS.] This gentile noun is here, and below, formed after a poetical manner; and in the same shape you will find it in a metrical inscription cited by Mr. Somner in his Antiquities of Canterbury, pag. 126. In prose we have it commonly *Cantuariensis*.

FIDELIBUS.] In the Saxon *þegenar*, *Þegnas*, and see Text. *Roffensis* in *Angl. Sacr.* I. pag. 336.

IN honore Sanctæ Trinitatis.] For, *in honorem*. This is usual in inscriptions, as in one in Pössling church, Com. Kent. and another in Ashbourn church, Com. Derb. both of them antient [f]. It occurs also in good authors, as *Virg. Aen.* III. 406. See the excellent Decker ad *L. Florum*, lib. III. cap. xx. Pitisc. ad *Q. Curt.* lib. IV. cap. ix. § 25. and *Joh. Vorstius* ad *Sulp. Sever. de vita Martini*, cap. 10.

HAS quatuor Dennas.] This is the word so frequent in the termination of names of places in the Weald of Kent, and signifies a low place or valley, from the Anglo-Saxon word expressed in the other deed. See also the *Philos. Transact.* N° 372; hence the English word *den*, “*ferarum sive latronum spelunca*.”

MEAE.] *Lege, med.*

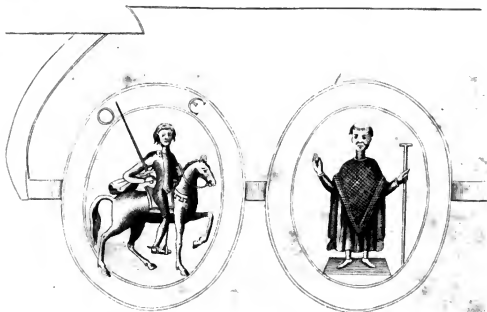
HAVING done with the phraseology and expressions, I now go upon the deed itself. The instrument is undoubtedly genuine;

[d] *Ingulphus*, pag. 85.

[e] *Annal. Burton.* pag. 333. See the same annals, pag. 372. 416.

[f] See also *Joh. Rossus*, pag. 24. 47. 53. 209. So *in nunciis*, *ibid.* pag. 54. Add *Bede*, pag. 131. *Dugd. Monast.* II. pag. 125. III. pag. 220. *Marm. Oxon.* pag. 62. *Ann. Burton.* pag. 259.

Odo þo of bauſ 3net Landſſanc aſceþ ⁊ hæmone ſcēp ⁊e 3iepan ⁊ ealle þaſ
 kingeſ þe 3enaſon cænt fpeondlicædi eoþ eallū cūð þ ic Odo þo of bauſ ⁊ eoþl on
 cænt ⁊e annuþe mōdeþ þ iſcpeſ cipe ean on cantepare bypiz þaſ þuþeþ
 dæne landeſ þ iſloſenham ⁊ Adalardæn dane ⁊ blacecoran ⁊ Acdanaſpa
 þ ſe lafoþo Landſſanc aſce þ ⁊ ealle hiſ aſceþ 3an 3an hi heom ⁊e a3nan on
 ece 3yþe þu ic do þoþ mineſ lafoþdeþ alyſedneþre Willelmeſ kingeſ ⁊ þoþ
 minþe ⁊ þoþ þapa manna alyſedneſſe be þapa hælū me iſ ſyndeþlice 3ymene ⁊
 þoþ ⁊e hpyrþe þu ⁊ tpen tē 3pa deþa landeſ þa be 3and þið innan minū
 deoþfalde æt Wiccheam.



Ex libris Regie.

and yet John Rous, the Warwick antiquarian, expressly tells us, pag. 138. that Henry I. was the first of our kings that made use of a seal of wax. But this author certainly errs; for, in Sandford we have impressions of the kind, both by William the Conqueror and William Rufus, which no body disputes; not to mention the seals of Edward the Confessor, appealed to by Sir William Dugdale [g], Mr. Carte [h], and others.

THE park at Trendley is mentioned, but without a name, in Domesday Book, where, under the title of *Terra Episcopi Baio-*
cenfis, we read, as I have it from Sir Edward Dering's extracts:

In Donamesford Hundred.

Ipe Ejs ten' in dñio Wickeham p iv solins se defed. Tra ē ix cař. in dñio sunt ii cař. & xxxvi villi cum xxxii cot. hñt ix cař. Ibi Ecclia, & unus pbr qui dat xl sol' p annum. Ibi unus parcus, & ii molini de l solid. & ii saline de xxxii denar' & iii piscarie de iv solid' & xxxii acre prati. Pastura ad ccc oves, & ad xxxii anim'. Silva q'ter xx^{ti} porc. T. R. E. valebat xxv lib. quando recep xx lib. modo xxx lib.

It is, nevertheless, omitted by Mr. Lambarde [i]: and whereas Philipot represents it as an inclosure, I must think he is mistaken; for the archbishop's land is not only said to *lie within it* in our Deed, but is also said expressly *not to be inclosed*, in the following extract taken from a MS. in the Dering library, intitled, "Index alphabeticus per loca Cantiana et per nomina virorum composit. ad literas patentes, ad clausa, et ad escaet."
"Turr. London, 1633," where we read as follows:

"WICKHAM maner. extant. ejusdem cum feria ultra aquam
"ib'm, et quodam *parco non clauso*, in quo sunt cc acr. bosci, in
"quo maner. heredes Rogeri Daniell, et antecessores sui, &c.
"habent pasturam ad vii boves et cc oves in Grenemerth, et
"alibi, et tempore pannagii xx porcos et unum aprum, Etc. 3^o
"Hen. 6. N^o - - - post mortem Ed. Com. March." So that,
for aught I know, Woodstock may still be the oldest *inclosed* park

[g] Hist. of Warwickshire, p. 672.

[h] Hist. of England, vol. I. pag. 374.

[i] Lambarde's Perambulation, pag. 604.

in England, notwithstanding this of Trendley (or Trindlega, as I have seen it written anciently) was in being so long before it. The words of John Rous, relating to Woodstock, are these, speaking of Henry II. "Etiam in Anglia parcum de Woodstock cum palacio, infra praedictum parcum, qui parcus erat primus " parcus Angliae, et pro eo fiendo plures villae destructae sunt, et " continet in circuitu septem milliaria Anglicana," Rossus, pag. 138. The author, by *primus* here, does not mean first in dignity, but first in time, as is evident from these words a line or two below, "Hujus rei exemplo ceteri domini imparcaverunt certas " terras suas." See Dugd. Warwickshire, pag. 304.

As to the date of the instrument which I consider next, Philipot, you see, fixes it to the 20th of William the Bastard; but this cannot be endured, since Lanfranc and Odo could not possibly have any dealings together so late as A. D. 1086. they being then professed enemies, and Odo then a prisoner in Normandy. King William had heaped all manner of honours, great posts, lucrative employments, and vast possessions upon this brother of his; but he behaved himself so ungraciously, so insolently, so ambitiously, being said to aspire not only to the papacy [*k*], but also to this crown [*l*], that, in the year 1082, the king found himself obliged to put him in prison. The king seized him himself in the isle of Wight; declaring, at the time, that he laid hands upon him, not as bishop of Baieux, which would have been invidious, but as Earl of Kent; a distinction suggested to him, as Knyghton expressly informs us [*m*], by archbishop Lanfranc, who likewise was the person that persuaded him to this act [*n*]. Odo was detained in custody in Normandy from that time, till within a very short while before the death of his brother William; when, obtaining his liberty, but not without

[*k*] Lambard's Peramb. pag. 60.

[*l*] Ibid. p. 151. Rapin, I. pag. 179.

[*m*] Knyghton inter X Scriptores, col. 2359.

[*n*] Ibid. Sandford Genealog. Hist. pag. 20. Lambard, pag. 151.

much

much solicitation, the brother consenting to his release with great reluctancy [o], he pursued the archbishop with the utmost malice and revenge [p]. Lanfranc was made archbishop in the year 1070, and consequently, some time between these two dates of 1070 and 1082, this exchange of land must have been made between the two prelates, and probably about the year 1075. 'Tis observable, that the abp. of Canterbury had no lands at Wickham when Domesday Book was made, anno 1086, and that Hammo, or Hamo, to whom the deed is addressed, was sheriff of this county of Kent in the said year 1075; for Ofward, who was sheriff in the time of Edward the Confessor, had lost that office; (which was in those days a beneficial employment) and probably at the accession of the Conqueror, as I learn from the following extract from the record of Domesday, "Testantur quoque quod "Hagelei de isto m'o ablata est, que se defendit p' dim. solin. "Hanc terram tenebat vicecomes, et quando *vicecomitatum amittebat* in firma regis remanebat," &c. [q]. Ofward was a Saxon, and, upon the revolution or change of government at the Conquest, was obliged to give way to a Norman successor, these important places of trust being in general bestowed on the newcomers. Hamo, the new sheriff, was Hamo de Crevequer, or de crepito corde, as we are informed by Mr. Philipot, pag. 18, and certain MS. papers of Sir Edward Dering: he continued sheriff all this reign and the next, and is often mentioned as such in Domesday Book.

THESE particulars are all sufficiently clear; there is, however, a difficulty in regard of the king's seizure of Odo, which merits some notice. The king, 'tis said, confiscated his effects [r] at that time, viz. in 1082; but how comes it to pass then, that Odo has such vast estates in Domesday Book, or in 1086? I answer, either

[o] Rapin, pag. 180. et Annot.

[p] Knyghton, l. c. Brompton, col. 984. Simeon Dunelm. col. 214.

[q] MS. papers of Sir Edward Dering, relating to the sheriffs of Kent.

[r] Rapin. l. pag. 179.

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the king did not seize his estates when he attached his person, or, the survey being begun in 1080, and finished and transcribed in 1086, this county of Kent was dispatched in the first two years, and when the whole was transcribed from the several returns in 1086, the scribe had no regard to any alterations that might intervene after the returns were made, but took the returns as he found them. By which means, although the bishop had lost his lands before the record was completed in the manner we now have it, yet they would necessarily stand there inrolled. But I incline to the former opinion, namely, that the king did not deprive him of his lands; for, had he done that, Odo could scarce have left behind him at his death such immense wealth as he is said to have done [1]. But enough of this; I go on to observe,

THAT the church of Canterbury, now called Christ-church, was at this time sacred to the Holy Trinity, appears from many places in Domesday Book [2]; and consequently, when in the Saxon part it is called *Xpistec cyrcean*, this has no peculiar meaning, but is to be understood in the common sense, all churches being in fact the churches of Christ.

AND thus having run over the deed, I proceed to the seal, which is indeed very curious, and is here engraved. 'Tis perhaps the only seal of Odo this day extant, at least it is the only one I have ever seen. It may be doubtful, whether it is an obverse and reverse, as is common in great seals, or two different seals. I incline to the former opinion. In this case, Odo is represented on horseback with his sword and spurs, as an earl on one side; and on the other, standing with his cross or pastoral staff as a bishop. 'Tis the same person on both sides, as appears from the tonsure. Odo had been made bishop of Baieux by his brother, and very soon after the Conqueror's arrival in England was created by him earl of Kent; and one cause of the king's appre-

[1] Philipot's, List of Lord Treasurers. Lambard, pag. 151.

[2] Somner, Antiq. of Canterb. pag. 126. Appendix, N^o I. & XL. Battely, Cant. Sacr. pag. 11. 13.

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hending him in the Isle of Wight, was, as Mr. Lambarde informs us, his refusing to surrender this county [u]. For the earldoms at this time were not titles of honour only, but places of office and trust. And to enumerate on this occasion the rest of his grand titles and offices, he was chief justiciary of England [w], treasurer [x], constable of Dover castle [y], and in his brother's absence A. D. 1067 was joined with Fitz-Osbern in the regency of the kingdom [z]; he was regent again A. D. 1074 [a]. The immense power and grandeur of this prelate is well expressed in these words of Ingulphus, pag. 78. "Inveniens . . . archiepiscopum Lanfrancum, et dominum Odonem episcopum Baiocensem fratrem uterinum domini regis, ipsumque Cantuariensem comitem, et principem palatii, quorum nutu et consilio tam rex ipse, quam regnum ejus universum in omni negotio regeretur, causam mei adventus confidenter exposui," &c. Odo's estate was prodigious, since we find from Domesday Book he had no less than 180, or, as Dr. Brady writes, 184 fées in the county of Kent, besides a great many more in others [b]. He was by nature of a martial disposition, as is evident from his being employed by his brother, anno 1080, to ravage the county of Northumberland [c], and by the stout opposition he made to his nephew William Rufus in the beginning of his reign [d]. The distinction of his episcopal and civil character is properly ex-

[u] Lambarde, Perambulation, pag. 151.

[w] Rapin, I. pag. 181. in not.

[x] Philipot, l. c.

[y] Lambarde, pag. 150. MS. Hist. of the Constables by Sir Edward Dering.

[z] Rapin, pag. 168. Brompton, col. DCCCLXII. Lambarde, pag. 222.

[a] Rapin, pag. 175. et not.

[b] Id. pag. 172. et not.

[c] Brompton, col. DCCCLXXVII. Simeon Dun. col. XLVIII.

[d] Id. col. DCCCLXXXIV. DCCCLXXXVI. Simeon, col. CXXXV. CXXXVI. Philipot, pag. 344. Sandford, pag. 20.

pressed to us on this seal, as indeed it might well be; this prelate, in his subscriptions, describing himself in both his capacities, as an ecclesiastic, and as a lay peer. Thus in the instrument of accord between the archbishops of Canterbury and York, anno 1072, the form runs, “Ego Odo Baiocensis episcopus, et comes Cantie “conf.” [e]. But this matter is finely illustrated by the speech of his brother when he arrested him, for he told him, he did not lay hands on him as bishop of Baieux, but as earl of Kent. All the historians take notice of the king’s finesse on this occasion; and it is certain, that Odo could make no exception to that distinction, since he himself made use of the like in his subscriptions, and on his public seal.

THE right hand of the figure is in the posture of blessing, as bishops are often drawn. It may be doubted whether it be a cross or a pastoral staff which he holds in his left hand. The Abunah of Aethiopia carried a cross [f]. But there is this following very remarkable passage in Sir Philip Skippon, concerning the Greek archbishop of Philadelphia: “He had a long staff, black, and silvered over; the top of it was like a crutch [g].” Skippon looked upon it to be a crozier or pastoral staff, and I am inclined to think this of Odo’s to be such; for the impression on this side agrees perfectly with the description which Dr. Thoroton gives of a seal belonging to the abbey of Felley in Nottinghamshire; “there “was also another writing with an oblong seal of green wax “hanging at it, the impression whereof contained the image of “a certain bishop standing in his pontificals, *holding his episcopal “staff in his left hand, and lifting up his right hand to bless;* the “circumference of it being, *Sigillum Gaufridi Dei Gratiâ Ebor. “Archiep’i.* [b].”

[e] Ingulphus, pag. 92.

[f] Hamilton’s Voy. vol. I. pag. 26.

[g] Churchill, Coll. of Voy. VI. pag. 513.

[b] Antiq. of Nottinghamshire, pag. 254.

As to the inscriptions on this seal, they probably constituted a verse in rhyme, according to the custom of the age, and allusive to Odo's double character as earl and prelate; but the remaining letters are too few for one to make even a conjecture about them, and therefore I shall not attempt it.

'Tis observable, that Odo, in the Deeds, assumes only his ecclesiastical title; and, in his subscription, cited above from Ingulphus, he places the episcopate before the earldom; from whence it should seem, that the reverse of the seal is put where the obverse should be, and *vice versa*. But, perhaps, sometimes one side of his seal was put first, and sometimes the other, according to the nature of the business; and this exchange of land being a meer secular affair, and relative to his earldom, propriety required that the obverse should exhibit him in that capacity. But be this as it will, the reverses of seals have sometimes been mistaken for the obverse. I shall give an instance of this, and therewith conclude these remarks. We have a seal of the Conqueror's in Mr. Speed[*i*]. Mr. Lewis, in his Dissertation on Seals, takes the obverse of it for the reverse, & v. v. [*k*]. Mr. Agard, a much greater man, has incurred a like error in regard of that king's style, into which, I think, he was led by the same misapprehension of the seal; for in Mr. Hearne's Collection of curious discourses, pag. 160. speaking of William the Conqueror, he says: "think-
"ing himself to be a most happy man to be king over so worthy
"a kingdom, which he placed in his style, and preferred before
"his dukedom of Normandy." But the inscription on the seal may convince any considerate reader, that these gentlemen are both of them mistaken: it runs thus:

[*i*] See also Sandford's Genealog. Hist.

[*k*] Speed and Sandford commit the same error in their types; but Sandford, in his explanation, pag. 5. takes it right.

"Hoc Normannorum Willelmu[m] no[m]i[n]e patronu[m];

"Hoc Anglis regem signo fatearis eundem."

'Tis plain from the construction, that this is the true order; that the title of Normandy is put first, and consequently, that that side is the obverse of the seal. As Normandy is placed first here, so I judge it to be on the seals of William Rufus, Henry I. &c. where our antiquaries, Speed and Sandford, have run into the same error. In short, these Normans seem to have esteemed the dukedom preferable to the kingdom; for William I. in his disposition of these states, gave Normandy to his eldest son.

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